

**From:** [Tiffany Moore](#)  
**To:** [Parks-Shaw, Ryana](#); [Melissa Patterson Hazley](#); [Bunch, Eric](#); [Willett, Nathan](#); [Binckley, Diane](#); [Public Engagement; Clerk; cc 1](#); [Lucas, Quinton](#); [MayorQ](#); [Platt, Brian](#); [Manager](#)  
**Cc:** [Amelia McIntyre](#); [Lisa Briscoe](#); [MaryJo Draper](#); [Kate Barsotti](#)  
**Subject:** Re: Ordinance 231047 - NPD 2/28, public testimony  
**Date:** Wednesday, March 6, 2024 9:32:31 PM

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Good evening Mayor Lucas, Councilmembers, and Manager Platt,

Ordinance 231047 will come before Council for final consideration after approval by the NPD Committee on Wednesday 3/6. The Kansas City Neighborhood Advisory Council has been engaged on this ordinance for some time and has provided testimony and detailed written information on key concerns with the section pertaining to Communications Establishments in R-80 zoning districts.

The committee substitute adopted today does not have the support of KCNAC, largely because the language presented for final consideration is still not available for review by KCNAC or the public in general. It may not have been clear to the committee members that the revised committee substitute did not reflect the language requested nor did it match the language provided by Planning Staff for KCNAC to review. The only testimony I could provide is that the language presented did not address the concerns submitted in written testimony and left some aspects of the approval process open to further review without a clear understanding as to what that would entail.

The discussion contained in this email thread is provided for context with key details highlighted here:

**2/28 KCNAC by email: Communications Service Establishments**

- District R-80 - We recommend that these establishments be considered by **special permit only** for the following reasons:
  - The impact on land use and adjacent properties in these areas may not be limited. As compared to B&D districts, the underlying zoning of residential property is dramatically different from the commercial nature of a data center and may not provide adequate project guidance or protection for adjacent land uses. A facility of even 50,000 square feet should likely require rezoning to engage all necessary input for successful integration into a residential zone.
  - Data centers can, based on their size and operational design, use large amounts of water for cooling. R-80 zones in Kansas City, Missouri, are generally not on municipal water or wastewater systems. Any water use of commercial scale that draws from natural water sources should be carefully considered. This activity could deplete natural aquifers and subsurface sources to the detriment of adjacent and existing agricultural and residential activities, including private wells serving residents where there is no plan to connect to a municipal water system or where that connection is cost prohibitive for the City.
  - Similarly, the disposal of waste water should be carefully considered as to avoid impacting adjacent land uses and natural systems.

- Long range planning documents should be reviewed, not simply amended, through the process of rezoning and development reviews to forecast future infill development in areas zoned R-80 and mitigate large facilities in areas that have potential higher uses or those that are more suitable for residential, neighborhood business, or job centers.
- Existing street infrastructure in existing R-80 zones may be insufficient for both construction activity and ongoing operations. This gap in serviceability could negatively impact adjacent residents and businesses through rapid deterioration of existing infrastructure and/or further burden the City with the cost of improvements with minimal return to the city or county in offsetting property taxes and business income.
- B&D Districts
  - The current dialogue around limiting the size of communications establishments in these zones is appropriate as is the development of design standards to protect pedestrian-oriented areas of the City. We look forward to reviewing any proposed changes in this section of the amendments.

**2/28** email response from Planning:

- The change that is proposed for the Communication Service Establishment is as follows:
  - Communications services establishments shall not exceed 50,000 square feet in floor area unless approved by special use permit in accordance with 88-525.

**3/6** NPD Committee hearing

- An updated staff report was presented during the hearing, however, no packet for this case was provided on the rail for in-person attendees.
- The revised committee substitute proposed a different version of the language for R-80 that had not been reviewed by KCNAC or any other member of the public engaged in previous discussions or hearings on 231047.

**At this time, the Kansas City Neighborhood Advisory Committee cannot support adoption of ordinance 231047 due to the lack of transparency, response to public input, or clarity on how applications for this type of development in R-80 zoning districts would be evaluated.**

As previously stated, we are always prepared to collaborate on topics that impact quality of life for Kansas City residents and respectfully ask that these concerns be given careful consideration.

Thank-you,

Tiffany Moore  
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On Wed, Feb 28, 2024 at 7:24 AM Tiffany Moore <[tiffanyinkcmo@gmail.com](mailto:tiffanyinkcmo@gmail.com)> wrote:

Good morning,

I am not able to attend the February 28, 2024, NPD committee hearing, but wanted to provide feedback on behalf of the Kansas City Neighborhood Advisory Council (KCNAC) in the ongoing discussion of the proposed amendment language.

I did not find any new documents for today's hearing, so these comments are based on documents prepared for prior hearings. Additionally, I did not see the committee substitute introduced at the 2/21 NPD hearing and would appreciate clarification as to whether that version will be formally included in the perfection of this ordinance.

#### Communications Service Establishments

- District R-80 - We recommend that these establishments be considered by **special permit only** for the following reasons:
  - The impact on land use and adjacent properties in these areas may not be limited. As compared to B&D districts, the underlying zoning of residential property is dramatically different from the commercial nature of a data center and may not provide adequate project guidance or protection for adjacent land uses. A facility of even 50,000 square feet should likely require rezoning to engage all necessary input for successful integration into a residential zone.
  - Data centers can, based on their size and operational design, use large amounts of water for cooling. R-80 zones in Kansas City, Missouri, are generally not on municipal water or wastewater systems. Any water use of commercial scale that draws from natural water sources should be carefully considered. This activity could deplete natural aquifers and subsurface sources to the detriment of adjacent and existing agricultural and residential activities, including private wells serving residents where there is no plan to connect to a municipal water system or where that connection is cost prohibitive for the City.
  - Similarly, the disposal of waste water should be carefully considered as to avoid impacting adjacent land uses and natural systems.
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  - Existing street infrastructure in existing R-80 zones may be insufficient for both construction activity and ongoing operations. This gap in serviceability could negatively impact adjacent residents and businesses through rapid deterioration of existing infrastructure and/or further burden the City with the cost of improvements with minimal return to the city or county in offsetting property taxes and business income.
- B&D Districts
  - The current dialogue around limiting the size of communications

establishments in these zones is appropriate as is the development of design standards to protect pedestrian-oriented areas of the City. We look forward to reviewing any proposed changes in this section of the amendments.

- Home Occupations
  - It is our understanding that this section of the original ordinance will be removed and reintroduced as a separate ordinance. The timing of that introduction has not been discussed, however, KCNAC looks forward to participating in that process.
- Amendments to Development Plans or Project Plans
  - It is our understanding that this section of the original ordinance will be removed and reintroduced as a separate ordinance. The timing of that introduction has not been discussed, however, KCNAC will continue to support Historic Kansas City in the development of this language and looks forward to participating in that process.

Thank-you,

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